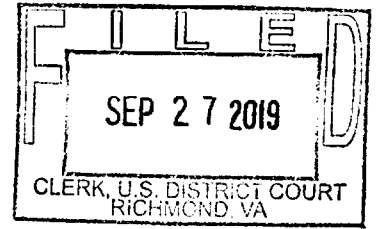


UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division



UNITED STATES OF AMERICA *ex rel.*)
SETHINA FORTUNATÈ,)

and)

COMMONWEALTH OF VIRGINIA,)
ex rel. SETHINA FORTUNATÈ,)

Plaintiffs,)

v.)

NDUTIME YOUTH & FAMILY)
SERVICES, INC.,)

Defendant.)

No. 3:16-cv-653-MHL

FILED UNDER SEAL PURSUANT
TO VA CODE § 8.01-216.1 et seq. AND
31 U.S.C. § 3729 et seq.

FILED EX PARTE

UNITED STATES' AND THE COMMONWEALTH OF VIRGINIA'S CONSOLIDATED
NOTICE OF ELECTION TO INTERVENE

Pursuant to the federal False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), and the Virginia Fraud Against Taxpayers Act ("VFATA"), VA. CODE ANN. § 8.01-216.5(A), the United States and the Commonwealth of Virginia (the "Government") notify the Court that they hereby intervene and intend to proceed with the action. This filing is consolidated to facilitate the orderly intervention of multiple government plaintiffs. The Government respectfully requests the Court grant the Government sixty (60) days after the filing of the Consolidated Notice of Intervention to draft and file a Consolidated Complaint. This additional time will also allow the Government to seek consolidation of this matter and another matter filed in the Eastern District of Virginia against the Defendant.

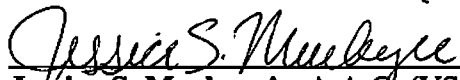
At this time, the Government requests that the Relator's Complaint, the Government's Notice of Election to Intervene, and the attached proposed Order be unsealed. The Government requests that all other papers on file in this action remain under seal because, in discussing the content and extent of the Government's investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and the time for making an election to intervene should be extended. The Government requests that the seal be lifted on all matters occurring in this action after the date of this Notice. A proposed Order accompanies this Notice.

Dated: Friday, September 27, 2019.

Respectfully submitted,

COMMONWEALTH OF VIRGINIA

By:



Jessica S. Mackenzie, A.A.G. (VSB #85025)

Telephone: (804) 786-4751

Email: jmackenzie@oag.state.va.us

Ray F. Bowman III, A.A.G. (VSB # 86673)

Telephone: (804) 371-2274

Email: rbowman@oag.state.va.us

Megan A. Winfield, A.A.G. (VSB # 75005)

Telephone: (804) 786-7760

Email: mwinfield@oag.state.va.us

Virginia Office of the Attorney General
Medicaid Fraud Control Unit, Civil Litigation
202 North 9th Street
Richmond, Virginia 23219
Facsimile: (804) 786-0807

Counsel for the Commonwealth

G. ZACHARY TERWILLIGER
UNITED STATES ATTORNEY

By:

A handwritten signature in black ink, appearing to read "Robert P. McIntosh", written over a horizontal line.

Robert P. McIntosh
Virginia Bar Number 66113
Attorney for the United States of America
United States Attorney's Office
919 East Main Street, Suite 1900
Richmond, Virginia 23219
Telephone: (804) 819-7404
Facsimile: (804) 771-2316
Email: Robert.McIntosh@usdoj.gov